

PATENT
Attorney Docket No.: 51825-US-PCT

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the below identified date.

Kara Shure
Kara Shure

2 July 2009
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paolo Costantino et al. Confirmation No.: 9723
Serial No.: 10/574,437 Group Art Unit: 1645
Intl. Appln. No.: PCT/IB2004/003366 Examiner: Not yet assigned
I.A. Filing Date: October 4, 2004
For: HYPO- AND HYPER-ACETYLATED MENINGOCOCCAL CAPSULAR
SACCHARIDES

**PETITION TO CORRECT INVENTORSHIP PURSUANT TO 35 U.S.C. 116 AND 37
C.F.R. § 1.48(a)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

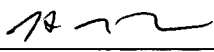
The presently named assignee, Novartis Vaccines and Diagnostics, SRL, hereby petitions the Commissioner to add the name of inventor "Francesco BERTI" as joint inventor in the above-referenced application. Enclosed is the fee set forth in 37 C.F.R. § 1.20 (b) of \$ 130.00.

Applicants request that the inventorship in the above-referenced application be amended to add inventor Francesco BERTI who was inadvertently omitted from the list of inventors without deceptive intent. Inventors Paolo COSTANTINO and Francesco BERTI will be the true and correct inventorship entity in the above-identified application in light of the currently pending claims once Francesco BERTI is added as a joint inventor.

It is believed that the applicant has complied with requirements under 37 C.F.R. § 1.48
(a) and correction of the inventorship in the present application is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency or credit any
overpayment in fees that may be due in this matter to Deposit Account No. 03-1664.

Respectfully submitted,
NOVARTIS VACCINES AND DIAGNOSTICS, INC.

Dated: 2 July 2009 By: 
Helen Lee
Registration No. 39,270

Customer No. 27476

Mailing Address:

Intellectual Property
P.O. Box 8097
Emeryville, CA 94662-8097
Tel: (510) 923-2192
Fax: (510) 655-3542



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Attorney Docket No.: 51825-US-PCT

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Kara Shure
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2 JULY 2009
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| For: | HYPO- AND HYPER-ACETYLATED MENINGOCOCCAL CAPSULAR SACCHARIDES | | |

**VERIFIED STATEMENT OF FACTS AS REQUIRED
BY 37 C.F.R. §1.48**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We, the undersigned, were the originally name, first and joint inventors of the subject matter which was claimed and for which a patent was sought on the invention entitled:

HYPO- AND HYPER-ACETYLATED MENINGOCOCCAL CAPSULAR SACCHARIDES,
which patent application was filed as International Application No. PCT/IB2004/003366 on October 4, 2004, and assigned U.S. Serial Number 10/574,437.

We hereby state that prior to executing the Declaration for Utility Patent Application in the above-identified application, we had reviewed and understood the contents of the above-identified specification, including the claims. In the initial filing of this patent application, Paolo

Costantino acted as principal inventor and interfaced with patent counsel and when the application was filed, inventor Francesco Berti's name was inadvertently omitted.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

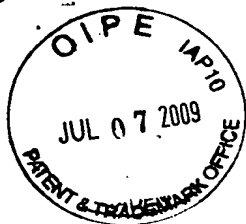
A Declaration in accordance with 37 C.F.R. §§ 1.48(a) and 1.63 in order to add Francesco Berti's name to the list of co-inventors originally named in the above-referenced patent application, and this Statement of Facts as required by 37 C.F.R. § 1.48(a) is hereby submitted.

23rd April 2009
Date

Paolo Costantino
Paolo COSTANTINO

23rd April 2009
Date

Francesco Berti
Francesco BERTI



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION☐ Supplemental (37 C.F.R. § 1.67)

As a named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name;

I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

HYPO- AND HYPER- ACETYLATED MENINGOCOCCAL CAPSULAR SACCHARIDES

the specification of which (check one)

- ☐ is attached hereto.
- ☐ was filed on _____ as United States Application No. _____
- ☒ was filed on October 4, 2004 as International Application No. PCT/IB2004/003366 and assigned U.S. Application No. 10/574,437.
- ☐ and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Claimed? | Certified Copy Attached? |
|----------------------------------|---------|----------------------------------|-------------------|--------------------------|
| 0323103.2 | GB | 10/02/2003 | Yes | |
| | | | | |
| | | | | |

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | |
|-------------------------|--|
| Name of first inventor | Paolo COSTANTINO |
| Residence (City, State) | Siena, Italy |
| Citizenship | Italy |
| Post Office Address | c/o Novartis Vaccines and Diagnostics, Inc. P.O. Box 8097, Emeryville, California 94662-8097/US |
| Inventor's signature | <i>Paolo Costantino</i> |
| Date | 26 March, 2007 |

| | |
|-------------------------|--|
| Name of second inventor | Francesco BERTI |
| Residence (City, State) | Siena, Italy |
| Citizenship | Italy |
| Post Office Address | c/o Novartis Vaccines and Diagnostics, Inc. P.O. Box 8097, Emeryville, California 94662-8097/US |
| Inventor's signature | <i>Francesco Berti</i> |
| Date | 27 MARCH, 2007 |

| | |
|-------------------------|--|
| Name of third inventor | |
| Residence (City, State) | |
| Citizenship | |
| Post Office Address | |
| Inventor's signature | |
| Date | |

| | |
|-------------------------|--|
| Name of fourth inventor | |
| Residence (City, State) | |
| Citizenship | |
| Post Office Address | |
| Inventor's signature | |
| Date | |



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Attorney Docket No.: 51825-US-PCT

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For: HYPO- AND HYPER-ACETYLATED MENINGOCOCCAL CAPSULAR
SACCHARIDES

CONSENT BY ASSIGNEE FOR CHANGE OF INVENTORSHIP


Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

NOVARTIS VACCINES AND DIAGNOSTICS, SRL, as successor and interest by change of name from Chiron SRL, a corporation duly organized under and pursuant to the laws of Italy and having its principal place of business at Via Fiorentina 1, Siena, Italy I-53100, is the assignee of the entire right, title and interest in the patent application identified above, as indicated on the Assignment filed April 25, 2007, and as recorded on Reel/Frame: 019220/0449, a copy of which is attached hereto.

NOVARTIS VACCINES AND DIAGNOSTICS, SRL hereby consents to the change of
inventorship of the subject patent application from "Paolo COSTANTINO" to
-- Paolo COSTANTINO and Francesco BERTI--.

29 July 2005
Date



Name: Helen Lee
Title: Attorney-in-Fact
Novartis Vaccines and Diagnostics, SRL

NOVARTIS VACCINES AND DIAGNOSTICS, INC. COMPANY: INTELLECTUAL PROPERTY-R33

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APRIL 27, 2007

PTAS - KN

700322142ANOVARTIS VACCINES AND DIAGNOSTICS, INC.
INTELLECTUAL PROPERTY-R338
P.O. BOX 8097
EMERYVILLE, CA 94662-8097***700322142A***UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENTTHE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER
REFERENCED BELOW.PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350.
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,
MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 04/25/2007

REEL/FRAME: 019220/0449
NUMBER OF PAGES: 5BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: PP021389.0013ASSIGNOR:
COSTANTINO, PAOLO

DOC DATE: 03/26/2007

ASSIGNOR:
BERTI, FRANCESCO

DOC DATE: 03/27/2007

ASSIGNEE:
NOVARTIS VACCINES AND DIAGNOSTICS
SRL
VIA FIORENTINA, 1
I-53100 SIENA, ITALY

SERIAL NUMBER: 10574437

FILING DATE:

PATENT NUMBER:

ISSUE DATE:

TITLE: HYPO- AND HYPER-ACETYLATED MENINGOCOCCAL CAPSULAR SACCHARIDES

P.O. Box 1450, Alexandria, Virginia 22313-1450 - www.USPTO.gov

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3/004

FAX SERVICE

NOVARTIS VACCINES AND DIAGNOSTICS, INC. COMPANY: INTELLECTUAL PROPERTY-R33

019220/0449 PAGE 2

ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

ASSIGNMENT

WHEREAS, WE, PAOLO COSTANTINO and FRANCESCO BERTI, hereinafter referred to as **ASSIGNORS**, have invented certain new and useful improvements as described and set forth in the below-identified United Kingdom Patent Application, International Patent Application and application for United States Letters Patent:

Title: HYPO- AND HYPER- ACETYLATED MENINGOCOCCAL CAPSULAR SACCHARIDES

Date(s) of Execution: March 26 and 27, 2007

| Priority Data: | <u>Application No.</u> | <u>Filing Date</u> |
|----------------|------------------------|--------------------|
| | GB 0323103.2 | October 2, 2003 |
| | PCT/IB2004/003366 | October 4, 2004 |
| | US 10/574,437 | October 4, 2004 |

WHEREAS, NOVARTIS VACCINES AND DIAGNOSTICS SRL, with a place of business at Via Fiorentina 1, I-53100, Siena, Italy, hereinafter referred to as **ASSIGNEE**, is desirous of acquiring the entire right, title and interest in the above invention and application and in any Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to **ASSIGNORS** by **ASSIGNEE**, receipt of which is hereby acknowledged, **ASSIGNORS** have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said **ASSIGNEE**, and **ASSIGNEE'S** successors and assigns, all right, title and interest in and to the said invention, said application(s) and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisionals, renewals, continuations in whole or in part, substitutions, conversions (including conversions claiming priority under 35 U.S.C. §119(e)), reissues, prolongations or extensions thereof, the said interest to be held and enjoyed by said **ASSIGNEE** as fully and exclusively as it would have been held and enjoyed by said **ASSIGNORS** had this assignment and transfer not been made, to the full end and term of any Letters Patent.

ASSIGNORS further agree that they will, without charge to said **ASSIGNEE**, but at **ASSIGNEE'S** expense, cooperate with **ASSIGNEE** in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as **ASSIGNEE** lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said **ASSIGNEE**, or **ASSIGNEE'S** successors and assigns.

IN TESTIMONY WHEREOF, **ASSIGNORS** have hereunto signed their name to this assignment on the date indicated below.

Date 26 March, 2007 Paolo Costantino
PAOLO COSTANTINO
Lorenzo Toller
Witness LORENZO TOLLERI
Eusa Passanelli
Witness EUSA PASSANELLI

Date 27 MARCH, 2007 Francesco Berti
FRANCESCO BERTI
Lorenzo Toller
Witness LORENZO TOLLERI
Eusa Passanelli
Witness EUSA PASSANELLI